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C O N F I D E N T I A L SECTION 01 OF 03 DJIBOUTI 000650

SIPDIS

STATE FOR AF AND AF/E;
LONDON, PARIS FOR AFRICA WATCHER

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TAGS: [PGOV](#) [KDEM](#) [PHUM](#) [PREL](#) [DJ](#)

SUBJECT: DJIBOUTI PURSUES OPEN DECENTRALIZATION FORUM;
OPPOSITION BOYCOTTS

Classified By: Pol/Econ Erinn C. Stott for reasons 1.4 (b) and (d).

1. (SBU) Summary: A national forum opened July 2 to debate the draft legislation establishing a special status for the capital, Djibouti City, within the context of Djibouti's decentralization law passed in 2002. The ten-day forum, hosted by Minister of Interior, Yacin Elmi Bouh, is open to representatives of all recognized political parties, but closed to the public at this time. Members of civil society will reportedly have the opportunity to voice their opinions in a later event. The heads of each political party received a personally addressed invitation to the forum directly from the Minister of Interior on June 16. At the opening session of the forum only the four political parties of the Union for Presidential Majority (UMP) coalition and the newest party, Union of Reform Partisans (UPR), attended. Outcast opposition party, Djiboutian Party for Democracy (PDD), boycotted - demanding a full census and overhaul of Djibouti's electoral lists. The three parties of the opposition coalition, Union for Democratic Alternance (UAD), boycotted as well - saying any negotiations on decentralization issues must first address the reportedly incomplete implementation of the 2001 Peace Accord between the Government and the Armed Front for the Restoration of Unity and Democracy (FRUD). End Summary.

2. (SBU) Minister of Interior, Yacin Elmi Bouh, announced June 20 to the Djiboutian public that a national forum would be held on July 2nd to debate the draft legislation of the special status of Djibouti City. This special status was one of many criteria to be fulfilled in the 2002 Decentralization Law, which outlined the need to distribute power among the four existing districts and create a fifth additional district. The legislation giving Djibouti City a special, separate status from any of the districts will determine how election for city and community councils will take place, how the Council of Djibouti will govern, authorities and licenses granted to the Council of Djibouti, how the head of the Council of Djibouti is chosen, and what will make up the City's budget.

3. (SBU) On June 16, each political party was sent a personally addressed invitation from Minister Bouh to participate in the forum. The invitation specified the forum would take place on July 2, 2005 and each party could have a maximum of 5 representatives in attendance. Accompanying the invitation was a copy of the draft law of the special status for Djibouti City. All parties would have the opportunity during the forum to offer their amendments to the law and debate all amendments among the parties. Minister Bouh's invitation emphasized the Government's will to include the parties in the creation of this important law, saying "we can not leave the political parties on the outside of this reform, in fact, on one hand they are unavoidable partners in all society's projects, and on the other hand they make up the only skilled instruments to work towards universal suffrage."

4. (U) The three parties of the opposition coalition, UAD, issued a press release on 25 June stating that it was favorable to a dialogue on the implementation of the 2001 peace accords between the Government and the armed FRUD. However, since the draft legislation for the special statute for Djibouti City contained no reference to the peace accords, the UAD did not see the interest in participating in a forum it called a media stunt for a piece of legislation unilaterally concocted and contrary to all decentralization. On the other hand, the statement said the coalition would be willing to contribute to a joint writing of the Capital's statute. The press release also stated, regarding the announcement of regional elections before the end of the year, that no credible election could be organized without the establishment of electoral transparency. The coalition demanded that the government show political will to rapidly implement the democratic climate in order to establish a state of rights based on an independent and free justice; a real electoral transparency containing the nine points proposed by the UAD since May 2004; a true decentralization based on the peace accords signed 12 May 2001 and starting with organization of community elections; and the organization of future legislative elections using a proportional method of representation.

15. (C) The opposition party Djiboutian Democratic Party (PDD), excommunicated from the UAD coalition as a result of PDD's president going against the coalition boycott of national elections by declaring himself a Presidential candidate, sent a letter to the President and the Minister of Interior informing that it would not participate in the forum and demanding a complete revision of electoral lists before any elections were organized. Embassy's sources in the Ministry of Interior indicate that a revision in order to add names has already started, but no mention of scrutinizing the lists for deceased voters or voters from neighboring countries - one of the main claims of electoral misconduct made by all opposition parties - was made.

16. (U) The parties participating in the forum are the four which comprise the Union for Presidential Majority (People's Rally for Progress - RPP, Front for Restoration of Unity and Democracy - FRUD, Djiboutian National Party - PND, and Social Democrats Party - PSD) and the newest and unaligned party, Union for Reform Partisans. According to the Djiboutian Information Agency article on the forum, the first day of the forum was dedicated to examining the laws currently in force. The article also stated that many of the party leaders had already submitted several proposed amendments to the draft legislation. These amendments were for a different division involving administrative autonomy and another division into communities each with their own mayor - modeled after the French system. Most of the amendments involved modifying the judicial plan on two levels of decentralization - the region and the community.

17. (C) Embassy obtained a copy of the draft legislation, which was not made public, from one of the opposition political parties. The legislation divides Djibouti City into three urban districts or "communes": Ras-Dika, the northern tip of the city and the commercial district; Boulaos, currently the 1st, 2nd and 3rd quarters; and Hayableh, currently the 4th and 5th quarters. The city's management would be broken down to several Community Councils, the Council of Djibouti, and the Executive of the Council of Djibouti. Each urban district would form an electoral circumscription. Voters registered in the current electoral lists would determine the composition of each Community Council. Each member of the Community Council would represent 1,000 registered voters, with Community Council members elected to three year terms.

18. (C) Elections for community and city councils would give 50 percent of the seats to the list that wins an absolute majority in the first round. The remaining seats would be attributed proportionally among the other lists that obtain more than 5 percent of the vote. Each party that submits a list for community or city council will have to pay a deposit of 350,000 DF (approx. 1,977 USD), which will be reimbursed if the list receive 5 percent of the ballot.

19. (C) Community councils would have authority to manage social, cultural and sports equipment of the district, Open public tenders, Public works, Occupation of public domain, and temporary authorization of land use. The President of each Community council would have specific authority to control the civil state, authorization of construction, student enrollment, school properties, exams for primary and college levels, community budget management, and the presidency of the customary first-degree court.

110. (C) The Council of Djibouti would be made up of members elected by Community Councils with the following proportions: 5 representatives from Ras Dika, 20 from Boulaos, and 10 from Hayableh. The city council would have authority to control programs and projects for Djibouti City; budgets and accounts for the Community Councils and Djibouti City, to protect the environment, maintain public works and property, accept or refuse donations, maintain common equipment belonging to the Council, tax institutions as defined by law, and cooperation with other communities. The Council of Djibouti would not have any authority over national defense, international diplomacy, money, justice, or national taxation. The Council would however be able to request humanitarian, economic, social and cultural assistance from foreign organizations. The Mayor of Djibouti would be appointed by Presidential Decree. The budget of the Council of Djibouti would be composed of donations and transfers from the State, tax resources, participation of other regions, and taxation of other services rendered.

111. (C) Comment: Regardless of the opposition's boycott of this forum, Post sees this move by the government as a good faith gesture and a show of political will to include those parties that are not a part of the National Assembly. Moreover, the opportunity for the Government and the opposition coalition to dialogue still exists. Post has also heard that even among the majority coalition there is significant disagreement with the way the draft legislation handles regional versus community authority.

RAGSDALE